IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 873 of 2006

Between:

Smt.Kona Simhachalam

..... PETITIONER

AND

Superintendent of Police,

Vizianagaram District Vizianagaram and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 2nd respondent in interfering with the civil dispute which is pending before the Joint Collector, Vizianagaram, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

It is stated that there are certain civil disputes pending in between the petitioner and the 3rd respondent with regard to the issuance of rough patta No.339 in respect of dry land of an extent of Ac.117.15 cents in Sy.No.82 of Thamarapalli village, L.Kota Mandal of Vizianagaram District, for which an appeal in Rc.No.916/2005 has been filed against the order of the Mandal Revenue Officer, L.Kota Mandal and the same is pending before the Joint Collector, Vizianagaram. It is further submitted that without there being any report or complaint either from the

3rd respondent or from any other person, the 2nd respondent is illegally interfering with the civil disputes. It is further stated that the grandson of the petitioner has also made a representation before the Superintendent of Police, Vizianagaram with regard to the subject matter and about the inaction of the L.Kota police, but no action has been taken so far.

Having regard to the facts and circumstances of the case, the

2nd respondent is directed not to interfere with the civil disputes existed in between the petitioner and the 3rd respondent. However, it is always open for the 2nd respondent to register a case and take appropriate action, if there being any report/complaint filed either by the

3rd respondent or anybody alleging that the petitioner has committed a cognizable offence.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 17.01.2006

Dsr